

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA)	
)	
v.)	CRIMINAL NO. 05-10016-RCL
)	
DONOVAN SORRELL,)	
Defendant)	

GOVERNMENT'S TO MOTION TO CONTINUE SENTENCING

Now comes the United States, by its attorneys, Michael J. Sullivan, United States Attorney, and David G. Tobin, Assistant U.S. Attorney, and hereby moves to continue the sentencing in the above-captioned case from May 9, 2006, the date on which the sentencing is scheduled to occur, to a date after the trial of co-defendant Michael McDonald.

In support of this motion, the United States avers: (1) the defendant pled guilty pursuant to a Plea Agreement entered into with the United States, under which the defendant is obliged to cooperate with the United States and testify against his co-defendants; (2) this Honorable Court allowed a motion to suppress evidence and statements filed by co-defendant Michael McDonald; (3) the United States is pursuing an appeal of the Court's allowance of the suppression motion; (4) as a result of the allowance of the suppression motion, co-defendant McDonald's trial has been postponed; and (5) the United States intends to call the defendant as a witness at co-defendant McDonald's trial.

The United States respectfully submits that is in the best interests of the defendant and the government to delay sentencing

of the defendant until after he has testified at co-defendant McDonald's trial. This will ensure that the Court is fully appraised of the defendant's completed cooperation prior to sentencing. Counsel for the defendant, Attorney Martin Murphy, does not object to the continuance.

Respectfully submitted,

MICHAEL J. SULLIVAN
United States Attorney

By: /s/: David G. Tobin
DAVID G. TOBIN
Assistant U.S. Attorney

CERTIFICATE OF SERVICE

I hereby certify that this document(s) filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non registered participants on May 5, 2006.

/s/: David G. Tobin
DAVID G. TOBIN